

## REMARKS

Claims 1-18 and 20 were pending.

Claim 1 is amended

Claims 3, 9-12 and 16-20 are cancelled.

Claims 1, 2, 4-8 and 13-15 are pending.

### **Amended Claims**

Claim 1 is amended to include the limitations of claim 10 to more closely reflect the showing.

No new matter is added.

### **35 USC 103(a)**

**Claims 1, 2, 4-7, 9-10 and 14-15 are rejected under 35 USC 103(a) as being unpatentable over Ghosh, US 2004/0261196 in view of Model, US 3,903,007.**

Examiner is of the opinion that Ghosh, '196 teach the method of cleaning the fabric articles, wherein the conventional cleaning is carried out with a large amount of water at the consumer's home or other place [0004].

Ghosh does not teach a method of cleaning and the ratio of the textile fiber materials to water in a washing machine. Model teaches detergent compositions comprising hydroxyl-diphenyl ether and method of using, wherein the ratio of fabric to water is 1:20. Examiner believes it would have been obvious to one of ordinary skill in the art to use the method of cleaning and the ratio of Model in the teachings of Ghosh.

Applicants submit a 132 declaration directed to a showing of unexpected benefits obtained from the combination of the compound of formula (1) and either of formulae 4 or 5.

### **Declaration under 1.132**

Cotton fabric is washed with a US Standard Liquid Detergent containing 0.6 % TINOSAN® HP 100 (formula 5) show excellent bactericidal activity. Log reductions of > 5 and 4.2 relative to the Placebo Liquid Detergent are observed against the test strain Escherichia coli ATCC 10536.

Cotton fabric washed with a US Standard Liquid Detergent containing 0.2% TINOSAN® Plus FG or 0.1% TINOSAN® Plus FG (formula 1) show excellent fungicidal activity. Log reductions of 1.4 and 1.1 (relative to the Placebo Liquid Detergent) against the test strain Chaetomium globosum ATCC 6205 have been shown.

The combination of 0.1% TINOSAN® Plus FC and 0.3% TINOSAN® HP 100 in a liquid detergent results in an “activity benefit” against both bacteria and fungi.

These results clearly indicate the simultaneously high activity against bacteria and fungi of a combination of 0.1% TINOSAN® Plus FC and 0.3% TINOSAN V HP 100 in a liquid detergent even at lower concentrations as compared to their individual use.

These results are important because the instantly claimed method allows formulating a detergent for use in a domestic washing process which not only cleans the textile fiber material but also prevents or reduces bacteria and fungi adverse effects.

**Claim 8 and 13 are rejected under 35 USC 103(a) as being unpatentable over Ghosh, US 2004/0261196 and Model, US 3,903,007 as applied to claim 1 above in view of Majeti US 2003/0212232.**

Examiner has applied Ghosh and Model as above but supplied Majeti to teach a composition for treating textiles and hard surfaces, wherein the composition comprises an enzyme.

However, the applicants submit that the declaration presently enclosed overcomes this rejection as the results shown comprising both the antimicrobial of formulae 4 or 5 and the antifungal compound of formula 1 show unexpected efficacy. Not only does the combination provide antifungal and antibacterial efficacy but also is able to provide antifungal and antibacterial efficacy at lower dosages than would be expected.

Reconsideration and withdrawal of the rejection of claims 1, 2, 4-10 and 13-15 is respectfully solicited in light of the remarks, amendments *supra* and enclosed declaration.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1, 2, 4-10 and 13-15 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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Enclosure: Petition for 3 month extension of time and Declaration under 1.132.